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TO THE PUBLIC.

KERSHAW COUNTY, S. C., May 22, 1880.

Captain W. L. DEPASS, *Camden, S. C.:*

SIR—In a case entitled "C. M. Winges *vs.* A. E. Cash and others," in which you are attorney for the plaintiff, you charge Mrs. Cash with fraud; and, although the copy of your summons and complaint served upon Mrs. Cash's attorneys differs materially from the original, *upon which you obtained an injunction*, yet your whole course in the management of the case clearly shows that you did mean to impute fraud to Mrs. Cash, and I suspect that your object in withdrawing the most offensive expressions in the original was to shirk a responsibility you had not the courage to meet. I regret very much my inability to act in this matter at earlier day, but to have done so would have subjected my conduct to misconstruction, and, perhaps, prejudiced Mrs. Cash's claims upon the Courts. As you have abandoned your charge of fraud, I now feel free to act in this matter, and while I neither claim for myself, nor acknowledge for you, that there is any social equality between us, yet, for the time being, and to accomplish the object I have in view, I waive all objections, and demand of you redress for the *false* imputations you have made against the character of Mrs. Cash.

My friend, Mr. W. B. Sanders, will arrange with you for a meeting.

E. B. C. CASH.

CAMDEN, S. C., May 24th, 1880.

Col. E. B. C. CASH:

SIR—Your note of the 22d inst. was handed me yesterday by Mr. W. B. Sanders, and I take the earliest practicable opportunity of replying. It is couched in language *unwarranted* by the Code of Honor among *gentlemen*, in that it conveys an insult, and I could most properly return it to you, but I waive this, and will *readily* accord you the satisfaction you demand. My friend, Dr. T. B. Legare, will arrange with your friend, Mr. W. B. Sanders, for a meeting.

(Signed) W. L. DEPASS.

KINGVILLE, S. C., May 26, 1880.

Mr. T. B. LEGARE, *Camden, S. C.:*

DEAR SIR—Sheriff Doby made an attempt on yesterday to arrest our party, but we evaded him. I have understood from rumor that your party were arrested. If such is the case, please inform me. If anything should transpire between now and the appointed time for fighting to prevent the fight, you will greatly oblige me by communicating the fact to me promptly.

Yours, with respect,

W. B. SANDERS.

CAMDEN, S. C., May 26, 1880.

Mr. W. B. SANDERS:

DEAR SIR—I thank you for communicating with me, as I intended to meet you to-day if it was possible. I was unexpectedly arrested on yesterday while in the discharge of my professional duties and had to give bond. As I cannot make my sureties liable, you will see that my connection with the matter pending must terminate, and in doing so permit me to express my gratification at the courtesy rendered me throughout our intercourse. Captain DePass, who is arrested, also informs me that he will communicate with you through a friend. As I deem it due Colonel E. B. C. Cash to explain the circumstances under which I am placed, you will please read the accompanying letter and place it in the hands of Colonel Cash.

Yours, with respect,

T. BURWICK LEGARE.

I enclose this to you through the hands of your friend and relative who conveyed your communication of the 26th to me, and take this course to avoid observation *as we are closely watched.*

CAMDEN, S. C., May 27, 1880.

To MR. W. B. SANDERS:

DEAR SIR—Your letter of the 26th inst. to Dr. T. B. Legare, desiring to know whether the rumor was true that he and I were arrested or not, &c., and his answer stating the fact, and that I would communicate with you at the earliest practicable moment, has been received. I now inform you that Col. L. W. R. Blair is authorized to act for me. A note similar to this has been forwarded by me to Col. E. B. C. Cash.

Respectfully,

W. L. DEPASS.

CAMDEN, S. C., May 27, 1880.

To COL. E. B. C. CASH:

SIR—Dr. Legare having informed your friend, Mr. W. B. Sanders, in response to his communication of the 26th, that he and myself had been arrested, and that I would communicate with you as soon as practicable, I inform you now that, owing to the arrest of Dr. Legare, spoken of, Col. L. W. R. Blair is authorized to act for me.

W. L. DEPASS.

CASH'S DEPOT, S. C., May 27, 1880.

COL. E. B. C. CASH:

DEAR SIR—I have the honor to hand you a note from Capt. William L. DePass and to say that Capt. DePass will meet you at any time you may designate, beyond the limits of the State of South Carolina, to discuss and adjust matters of disagreement existing between yourself and him, and, at all events, to accord to you such satisfaction as you may then demand.

We may subsequently confer concerning the particular place beyond the limits of the State which we shall fix upon.

I am, sir, with considerations of high esteem,

Your obedient servant,

L. W. R. BLAIR.

DIXIE'S RETREAT, June 19th, 1880.

Captain W. L. DEPASS, *Camden, S. C.:*

MY DEAR SIR—Before seeing Gen. Cash's placard against you I had written a communication to the *Carolina Sun* correcting misrepresentations apparently referring to you in an article on the "Camden Anti-Duelling Society," published in that paper. The appearance of the placard renders it my duty, in justice both to yourself and me, to place before the public a more explicit statement of what passed between Gen. Cash, or his official friend, Col. Watts, and me with reference to you.

On the 27th or 28th ultimo I visited Gen. Cash to deliver to him a note from you accrediting me as your official friend, and also one from myself, in which I say: "Captain DePass will meet you at any time you may designate, beyond the limits of the State of South Carolina, to discuss and adjust matters of disagreement between yourself and him, and at all events to accord to you such satisfaction as you may then demand." Not desiring to intrude upon the privacy of his residence, I stopped at Cash's Depot and sent in a note announcing my presence and purpose, and requesting Gen. Cash to come out to the depot and receive my communication. He was not at home, but his son, Captain Cash, in company with Col. Watts, came out, and, fully aware of the nature of my visit, pressed me so cordially to accept his hospitality that I became his guest for the afternoon and night. And it may not be out of place for me to say here that I was never more strongly or more favorably impressed than by the high-bred hospitality, manly tone and gentlemanly bearing of this gentleman and his father, whose acquaintance I had never before formed.

Upon General Cash's arrival, in the evening, we discussed the question of where the next meeting should take place. I strongly desired that it should be on the Georgia frontier, but both General Cash and Colonel Watts objected that it would be useless for them to attempt to meet there, as there was but little chance of their getting through without being arrested, and urged that the meeting should be in North Carolina, near the point where the plank road from Cheraw to Wadesboro crosses the State line—a point not more than eighteen miles distant from General Cash's residence, while it is some sixty-five or seventy miles from you, and inaccessible except by private conveyance. However, finding their objections to the Georgia frontier insuperable, *and knowing your earnest desire that nothing on your behalf should impede the meeting*, I yielded this point, and the meeting was appointed to be at seven o'clock A. M. on the following Thursday, the hour being subsequently changed before we parted to twelve o'clock M. on the same day. After your arrest I arrived on the ground about twelve o'clock, or, perhaps, a few minutes before, and mentioned to Col. Watts that, being unacquainted with the roads, I had been apprehensive that I might be a few moments

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too late, but neither he nor General Cash nor any one suggested misapprehension as to the time of meeting, so that there could be no misconception on that subject, *nor had they to wait one minute after the time appointed for the meeting until I arrived.* On my arrival I found an assemblage of some fifteen or twenty gentlemen on the ground; these, Colonel Watts informed me, were not of General Cash's party, but persons who had come out to witness the spectacle, as the people all along the way he had come knew the place and hour of the meeting, and General Cash had with *difficulty* escaped arrest on the way. The same information was given to me subsequently by General Cash. As soon as I arrived on the ground I called Colonel Watts aside and acquainted him with the fact of your arrest and cause of your absence. He seemed, as a lawyer, to consider the arrest illegal, and said that you could be bailed and proceed with the purpose of our meeting without pecuniary risk to your securities, and, in fine, generously proposed that General Cash would be your security for that purpose, and, *taking, at the moment, his own view of the matter, that it could not be attended with any pecuniary risk to General Cash,* I promptly accepted the romantic and chivalrous proposal, but Colonel Watts requested time to consult General Cash, and on his return withdrew the proposition, informing me that General Cash took a different view of it.

I then assured Colonel Watts that you would respond to General Cash's demand at the earliest moment you could be relieved of the legal impediments. He asked me when that would be. I answered at a year and a day, when your bonds would expire. He replied that you might then renew the matter by making a demand on General Cash; that General Cash would not pursue his demand on you any further, but publish the correspondence. I asked to be informed explicitly what he meant by this, and he told me that his purpose was simply to publish the correspondence which had occurred, to which I could offer no objection. All these communications were verbal, but my recollection of them is clear and strong, leaving no room for possible error or mistake.

General Cash, in his placard, states that no friend of his caused the arrest. Far from me be such a suspicion! But this is perfectly apparent to every one: That while we proposed, by every means in our power, to obviate the effect of the arrest, and ultimately (though with necessary and unavoidable delay) to bring about the desired meeting, General Cash, by a placard, unprecedented among gentlemen, and unjustifiable by the facts and circumstances of the case, has rendered it *absolutely effective,* placing it out of your power ever to accord to or demand from him a meeting on the field of honor, and depriving himself of all redress on you other than by the fulfillment of his implied inconsiderate and rather extravagant threat—a threat which I dare assert that neither he nor any man will ever execute.

With considerations of high esteem and regard, I am, my dear sir,

Your friend and obedient servant,

L. W. R. BLAIR.

It will be seen by those who have read the circular of E. B. C. Cash, and of this, together with the letter of Colonel Blair to me, accompanying this, that he has placed before the public only a part of the correspondence between us and our respective friends, and has altogether left out what verbally occurred between our respective friends and Col. Blair and himself both at his own house and on the field.

If his object was by this suppression of facts and by his comments for what he would have others believe was my conduct in the affair, to create a public opinion in presenting himself in the character of a much injured gentleman seeking that redress usual among men of honor and denied to him by the wrong-doer, who, having been summoned to render satisfaction and accepting the same, under cover of legal arrests, eagerly availed of, seeks to avoid the dangers of a responsibility he has assumed, he has defeated his own purpose. *For his own showing proves* that he violated *the first principle* of the code of honor in sending me a peremptory challenge for an alleged offense, couched in language conveying an insult, (sternly prohibited by the code,) instead of what he should have done: first demanding an explanation of the cause of offense and awaiting my reply, which, if unsatisfactory, would have then justified a peremptory challenge. Such conduct on the part of those who seek revenge will always, as it ever has done, cause the code of honor and its purpose to forever be misunderstood. It is not, nor ever was, intended to gratify the revenge of the *lawless*, but to guard the honor and protect the character of the gentleman in his intercourse with others. This placard shows, in the next place, that the demand was promptly accepted, that all that could be done upon my part was done, even surmounting two arrests under the law, and only prevented from the meeting by a third, and that away from my own home and in that of my *ungenerous* foe. The scurrility of the placard with which I have been assailed forms no part of the *truth*, (*for it is always easy for any boastful fellow to slander a gentleman and say what he intended to do, more especially when, at the time, he knows that his opponent's hands are tied down by the law, which binds him, under heavy penalties, to keep the peace toward all the citizens of the State, and more especially toward him,*) but demands at my hands a brief statement of easily established facts. Gen. Cash's assertion that I wantonly cast any reproach upon the character of his wife *is groundless*. It could only have been excusable even if it was deserved and had been necessary to the interests of my client, for I would not have shrunk from the performance of any duty as a lawyer. But in this case it was in no respect necessary to cast the slightest aspersion upon the character of Mrs. Cash, and I most studiously avoided doing so. This I was at all times ready to incontestibly prove to Gen. Cash, had he afforded me an opportunity. But, after waiting nearly seven months from the alleged offense, Gen. Cash sends me a peremptory challenge, couched in such offensive and improper terms as would have justified me, under the code, in treating it with contempt had I desired to deny him the satisfaction he demanded.

The challenge was handed to me by Mr. W. B. Sanders on the most public day and in the most public possible place, just as I was coming out of the Court House where I had presided over the County Democratic Convention. I referred him to my friend Gen. Kennedy, and promised to inform Gen. Kennedy that he was stopping at the DeKalb Hotel. Shortly after, on going to Gen. Kennedy's office to communicate

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with him, I found Mr. Sanders and Col. R. C. Watts seated there with some eight or ten other gentlemen. Moreover, I was informed by the Sheriff, Mr. Doby, that he had heard from several persons before the Convention adjourned that a challenge would be handed to me from E. B. C. Cash on that day; and by sundown it was the town talk and in the mouth of every man, woman and child in the community. Now, whence came this information? Certainly not from me, for I knew nothing of it until the challenge was handed me in the manner and at the time I have before said. And who is responsible for the publicity given to this affair, and which roused this community against duelling and caused the arrest of myself and my friend, Dr. Legare? Let the facts I have just mentioned answer.

Dr. Legare had arranged with Mr. Sanders that a meeting should take place between Gen. Cash and myself at DuBose's Bridge, on the 30th day of May, at 12 o'clock M., but we were both arrested on the Tuesday preceding, (the same day that the Sheriff informed me he attempted to arrest Gen. Cash and his friend Mr. Sanders, but who, on seeing him approach the house from a distance, ran across the line into Sumter County, but a few hundred yards from the residence of R. G. Ellerbee, where they were then sojourning.)

Dr. Legare immediately informed Mr. Sanders of that event, he (Mr. Sanders) having addressed (as will be seen) a note to him asking for information of what had been rumored.

My friend, Col. Blair, went, on the 27th of May, to Mr. Sanders to find Gen. Cash, but was informed by Mr. Sanders that Gen. Cash had gone home and that he (Sanders) was no longer authorized to act for him. He then immediately sought him at his own residence at Cash's Depot, in Chesterfield County.

For what subsequently transpired I refer to Col. Blair's letter, addressed to me for publication. Now, where did Gen. Cash have to "wait hour after hour on the ground only to be at last informed that Capt. DePass had been arrested or rearrested and could not fight?" The time for the first meeting at DuBose's Bridge had not arrived until after the second arrangement was made with Colonel Blair, and Colonel Blair's letter shows that after my third arrest he was promptly on the ground at the moment appointed, and had not to wait one minute.

And why did General Cash, when I had been thrice arrested, without fault of *mine*, refuse to wait until I could be relieved from liabilities which would have seriously embarrassed my family in the event of my death, when he himself, under a frivolous pretext, (for it is nothing more,) had deferred the challenge for nearly seven months after the alleged offense, and thereby entitled me, under *a peremptory rule of the Code*, apart from arrest, or any other contingency, *to take twice that period to respond to his demand?* I shall not condescend to impugn General Cash's character as a gentlemen or a man of true courage, certainly not after having accepted his challenge, whether it be vulnerable or not upon those points. *But I can certainly smile most complacently at all his scurrilities until he gives a satisfactory answer to these questions, and explain conduct which, throughout, is the most extraordinary that a gentleman and man of true courage ever fell into.*

W. L. DEPASS.

CAMDEN, S. C., June 20, 1880.